

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/649,713 Filed/Issue Date: August 25, 2000Entitled: MESSAGING SYSTEM FOR A PACKET TRANSPORT SYSTEM AND METHOD OF OPERATION THEREOFAgere Systems Inc. a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Harry T. French, et al To: Lucent Technologies, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 011380, Frame 0976, or for which a copy thereof is attached.
2. From: Lucent Technologies, Inc. To: Agere Systems Guardian Corp.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: Agere Systems Guardian Corp. To: Agere Systems Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature  
J. Joel Justiss
July 17, 2007Date972-480-8800Printed or Typed NameTelephone NumberAttorney for ApplicantTitle

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DOCKET



40210-121120 MAR 15 2001 GWD  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 12, 2001

PTAS

HITT GAINES & BOISBRUN, P.C.  
GLENN W. BOISBRUN  
P.O. BOX 832570  
RICHARDSON, TX 75083



\*101570936A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/04/2000

REEL/FRAME: 011380/0976  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FRENCH, HARRY T.

DOC DATE: 11/20/2000

ASSIGNOR:

TAKIA, MOURAD B.

DOC DATE: 11/08/2000

ASSIGNEE:

LUCENT TECHNOLOGIES, INC., A CORP.  
OF DE  
600 MOUNTAIN AVENUE  
MURRAY HILL, NEW JERSEY 07974-0636

SERIAL NUMBER: 09649713

FILING DATE: 08/25/2000

PATENT NUMBER:

ISSUE DATE:

DOROTHY RILEY, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



01-03-2001



101570936

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

FRENCH 6-2

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

12-4-06

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

☒ New

☐ Resubmission (Non-Recordation)  
Document ID# \_\_\_\_\_

☐ Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

☐ Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

**Conveyance Type**

☒ Assignment ☐ Security Agreement

☐ License ☐ Change of Name

☐ Merger ☐ Other \_\_\_\_\_

**U.S. Government**  
(For Use ONLY by U.S. Government Agencies)

☐ Departmental File ☐ Secret File

**Conveying Party(ies)**

☐ Mark if additional names of conveying parties attached

Name (line 1) Harry T. French

Name (line 2) \_\_\_\_\_

Execution Date  
Month Day Year  
11 20 2000

**Second Party**

Name (line 1) Mourad B. Takla

Name (line 2) \_\_\_\_\_

Execution Date  
Month Day Year  
11 08 2000

**Receiving Party**☐ Mark if additional names of receiving parties attached

Name (line 1) Lucent Technologies, Inc.

Name (line 2) a Corporation of Delaware

Address (line 1) 600 Mountain Avenue

Address (line 2) \_\_\_\_\_

Address (line 3) Murray Hill New Jersey 07974-0636

City State/Country Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name \_\_\_\_\_

Address (line 1) \_\_\_\_\_

Address (line 2) \_\_\_\_\_

Address (line 3) \_\_\_\_\_

Address (line 4) \_\_\_\_\_

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package: 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number (972) 480-8800

Name Glenn W. Boisbrun

Address (line 1) Hitt Gaines &amp; Boisbrun, P.C.

Address (line 2) P.O. Box 832570

Address (line 3) Richardson, Texas 75083

Address (line 4)

## Pages

Enter the total number of pages of the attached conveyance document including any attachments.

# 5

## Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

## Patent Application Number(s)

## Patent Number(s)

09/649,713

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.Month Day Year  
11 20 2000

## Patent Cooperation Treaty (PCT)

Enter PCT application number

only if a U.S. Application Number  
has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

## Number of Properties

Enter the total number of properties involved.

# 1

## Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:

Deposit Account

Enclosed ☐Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 12-2325

Authorization to charge additional fees:

Yes

☒

No

☐

## Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Glenn W. Boisbrun

Name of Person Signing

Signature

11/29/2000

Date

ASSIGNMENT

For value received, We, Harry T. French, of New York in the County of New York and the State of New York, and Mourad B. Takla, of Basking Ridge in the County of Somerset and the State of New Jersey, hereby sell, assign and transfer to Lucent Technologies Inc., a corporation of the State of Delaware, having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974-0636, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to "MESSAGING SYSTEM FOR A PACKET TRANSPORT SYSTEM AND METHOD OF OPERATION THEREOF" described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Lucent Technologies Inc. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Lucent Technologies Inc. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Lucent Technologies Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Lucent Technologies Inc. in the United States and in all countries foreign to the United States, or to such nominees as Lucent Technologies Inc. may designate.

We agree that, when requested, we shall, without charge to Lucent Technologies Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Harry T. French

Harry T. French

STATE OF New Jersey  
COUNTY OF Union

§  
§  
§

On this 20th day of November, 2000, before me personally came Harry T. French, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

Angelina Cagliostro

Notary Public

My Commission Expires:

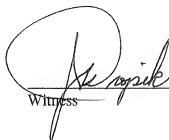
**ANGELINA CAGLIOSTRO**  
**A NOTARY PUBLIC OF NEW JERSEY**  
**My Commission Expires 1/21/2004**

  
Mourad Takla

Date: 11/8/00

Cairo, Egypt )

On this 8<sup>th</sup> day of November, 2000, before me personally came Mourad Takla, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

  
Witness

Lucent Technologies Inc.  
600 Mountain Avenue (Room 3C-512)  
P.O. Box 636  
Murray Hill, New Jersey 07974-0636

EXECUTION COPY

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PATENT ASSIGNMENT

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS GUARDIAN CORP.

Dated as of January 30, 2001

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## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

### RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

LUCENT TECHNOLOGIES INC.

By: 

Daniel P. McCurdy  
President, Intellectual Property Business

AGERE SYSTEMS GUARDIAN CORP.

By: 

Fred M. Romano  
President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY )  
: SS:  
COUNTY OF SOMERSET )

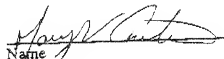
I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:  
a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and  
b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name TAMORA ANNE HANNA  
Notary Public Notary Public of New Jersey  
My Commission Expires Registered in Hunterdon County  
[Notarial Seal] My Commission Expires March 25, 2002

STATE OF FLORIDA )  
: SS:  
COUNTY OF ORANGE )

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:  
a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and  
b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name  
Notary Public  
My Commission Expires:  
[Notarial Seal]



APPENDIX B (continued)  
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Fischer 22-9-7-7	9/29/1999			09/407856
Fischer 23-4	10/7/1999			09/413960
Fischer 23-7	9/29/1999			09/407858
Fischer 24-19-2	8/3/1998			09/388814
Fischer 25-14-37-18-2-5	10/8/1999			09/414568
Fischer 26-38-19-3-3	10/8/1999			09/414565
Fischer 26-8-13	5/4/2000			09/564438
Fischer 27-30-20-4-4	10/8/1999			09/414567
Fischer 28-12-6-9	6/24/2000			09/579082
Fischer 28-15-40-21-5-5-8	10/8/1999			09/414566
Fischer 29-16-41-22-7	11/2/1999			09/431913
Fischer 30	11/24/1999			09/448934
Fischer 31-42-23	6/13/2000			09/592864
Fischer 33-46-25	6/28/2000			09/605953
Fischer 38	11/8/2000		09/708342	
Fischer 4-88	2/23/1999			09/256046
Fischer 7-9	4/28/1997		08/847827	
Fischer 9-3-15-5	3/10/1998		09/037404	
Fitch 4-1	10/11/1996		08/730520	
Fleck 6-51-8	3/17/1999			09/271254
Fleming 18-53-1-28	9/3/1998		09/146518	
Fleming 17-5-57-10-41	8/5/1999			09/369105
Fleming 39-45	5/27/1998			09/321076
Fleming 8-28-55-3	12/23/1999			09/472332
Fox 4-2	4/19/2000			09/551913
Francisco 1-16	12/27/1998		08/777333	
Francisco 2	12/27/1998		08/777311	
Francisco 3-2	9/17/1997		08/932609	
Franev 14-1-1	10/12/1999			09/416069
Frank 3-2-25	2/2/1999			09/241699
Frank 4-3-27	5/28/1999			09/322445
Fratti 3	2/5/1999	5/30/2000	6068130	09/244857
Fratti 8	5/30/2000			09/580522
Frei 3-5-14	2/12/1998		09/023220	
French 4-3-3	10/22/1997		08/955978	
French 5-4-9	6/19/1998		09/100087	
French 6-2	8/25/2000		09/649713	
Freund 15-18-15	9/29/1998		09/163055	
Freund 17-1-20-17	9/30/1998		09/163242	
Freund 22-25-22	10/26/1998	3/14/2000	6036196	09/178899
Freund 24-10-27-24-11	12/10/1998	8/15/2000	6102267	09/208768
Freund 27-8-30-27-42	12/23/1998			09/219784
Freund 32-40-32	4/5/1999	02/29/00	6029427	
Freund 38-44-38	4/13/1999			09/290421
Freund 38-21-4	8/23/1999			09/379320
Freund 61-58-49-30	7/16/1999			09/353764
Freund 80-67-58	10/13/1999			09/417710
Freund 81-13-68-3-60	1/7/2000			09/478604
Freyman 14-48-8-19-11-20-1-7	8/2/2000		09/630483	
Freyman 14-48-8-19-11-20-1-7	11/3/1999			60/163230
Friedberg 1-2	9/27/1999			09/406533
Friedberg 2-20-2	2/15/2000			09/504397
Fritz 1-1-1-10	9/3/1998		08/708859	
Fritzinger 10-2-48-68	2/16/1999			09/250501
Fritzinger 11-4-65-85	2/16/1999			09/250500
Fritzinger 12-6-68-88	3/29/1999			09/277778
Fritzinger 13-8-67-87	3/29/1999			09/260367
Fritzinger 14-8-3-17-18	11/23/1999			09/447154

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,  
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor  
Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

CERTIFICATE OF OWNERSHIP AND MERGER

OF

Agere Systems Guardian Corp.  
(a Delaware corporation)

INTO

Agere Systems Inc.  
(a Delaware corporation)

UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), DOES HEREBY CERTIFY:

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento  
Paul Bento, Vice President